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GENERAL ELECTRIC COMPANY
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APR 25 2005

In re Application of:
Granitz et al.
Serial No.: 09/998,432
Filed: November 29, 2001
Attorney Docket No.: 13DV14003

DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT

This is a decision on the petition filed on November 7, 2003 to withdraw the holding of abandonment of the above-identified application. The petition has been treated as a petition under 37 C.F.R. § 1.181. No fee is required.

The petition is **GRANTED**.

The application was held abandoned for failure to timely file a response to the Office action mailed on November 22, 2002. A Notice of Abandonment was mailed on August 13, 2003.

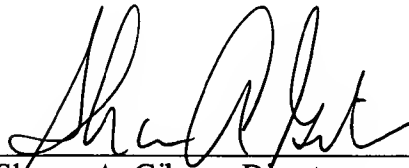
Petitioner asserts that on December 23, 2002, a response including an election was timely filed. To support this assertion, petitioner has submitted a copy of the response bearing a certificate of mailing of December 23, 2002 and a statement, which attests on a personal knowledge basis to the previous mailing.

The petition meets the conditions to establish timeliness under 37 C.F.R. § 1.8(b) in that petitioner: (1) informed the Office of the previous mailing or transmission of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence; (2) supplied an additional copy of the previously mailed or transmitted correspondence and certificate; and (3) included a statement which attests on a personal knowledge basis or to the satisfaction of the Director to the previous timely mailing or transmission.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status

and is being forwarded to the examiner of record for consideration of the response and prompt appropriate action.

Inquiries regarding this decision should be directed to Clayton E. LaBalle, Special Program Examiner, at (571) 272-1594.



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